## Brindell Case This Test Will Make Likely to Reach **Jury Tomorrow**

Defense Closes Evidence and Both Sides Will Use To-day in Summing Up; Faces a 15-Year Sentence

Ex-Policeman on Stand

Birmingham Used by Littleton to Establish Alibi Aired in the Danahy Testimony

With another effort to establish an alibi for Robert P. Brindell, the labor king on trial before Justice McAvoy for alleged extortion, Martin W. Little ton, his attorney, yesterday closed his case for the defense. The summing up by both sides will take place to-day and the case will in all probability go to the jury to-morrow. If found guilty Brindell will face an extreme penalty of

dell will face an extreme penalty of fifteen years' imprisonment.

Mr. Littleton played his second trump card in the person of Stephen W. Birmingham, a former policeman, who was placed on the stand by the defense to corroborate the alibi established by David Danahy, a walking delegate for the Marble Helpers' Union. Danahy had testified that he was in Brindell's office with Birmingham on September 29, when Max Aronson had a conference with the labor leader, in the course of which Brindell is said by the prosecution to have demanded and later received 55.000 to 100. by the prosecution to have demanded and later received \$5,000 to call off a strike on an operation of Aronson's. Danahy denied that there was any men-tion of money in the conversation.

Two Stories Differ-Danahy's story was repeated almost verbatim by Birmingham yesterday. It differed, however, in two points from the testimony of Danahy made no mention of finding Brindell and Birmingham eating luncheon when he arrived at Brindell's office, at 12 St. Mark's Place at about 12:30 nm. Mark's Place, at about 12:30 p. m.

Again, Danaby had said that at the close of the conversation between Brin-iell and Aronson Birmingham went into Brindell's private office and spoke to Brindell in a low voice for about fifteen minutes. Birmingham testified yesterday, however, that he went down to the Compensation Bureau of the Ruilding Trades Council on the floor below immediately after the Aronson conversation, where he remained about minutes, leaving Danahy with Was there anything said of the pay-

ment of any sum of money to Brin dell?" asked Mr. Littleton of the wit

"Not a word," replied Birmingham.
"Was there any bargaining regarding any mone, at all?"
"No, there was not."

"No, there was not."
Under cross-examination by Samuel
Untermyer, counsel for the prosecution it developed that Birmingham had
been dismissed from the Police Department last Thursday after a trial on
charges before Deputh Police Commissioner Leach. He had applied for a
six months' leave the carly part of last
summer to take his ill wife to the
mountains. On June 1, however, he was
employed by Brindell to organize and
take charge of the Compensation Bu-

take charge of the Compensation Bureau of the Building Trades Council.

Since that time he has been an investigator for the bureau and has acted
as persenal bodyguard to Brindell. He
had been cited many times for good
service in the course of his twelve
years' connection with the Police Department, according to the testimony,
and at the time of his dismissal was a
first grade detective sergeant.

It was reported that as a result of the Lockwood committee's investigation the Building Trades Employers' Association has decided upon a complete reorganization at a meeting to be held February 15. In this connection it was said that none of the present officers of the association would retain his place at the election scheduled for that date, except Samuel B. Donnelly, who is employed as a secretary.

### Investigators Rouse Ire Of Brick Manufacturers

turers' Association, presided yesterday alternately with Mr. Hammond, who will be retired through yesterday's election. The national association

will be retired through yesterday's election. The national association elected these officers:

W. E. Dunwody, of Macon, Ga., president; Thomas E. Wilson, of Pittsburgh, first vice-president; R. C. Burton, of Zanesville, Ohio, second vice-president; Jotham Post, of East Williston, N. Y., third vice-president; John W. Sibley, of Birmingham, Ala, treasurer; Theodore A. Randall, of Indianapolis, secretary; A. M. Wallace, of Indianapolis, assistant treasurer.

personal investigation to find if there any one with specific knowledge of wrongdoing, and if I find such persons I will have them put their information in proper form.

"After I have obtained this information I will determine whether or not there is any evidence of crime having been committed, and if there is sufficient information to wrongdoing, and if I find such persons I will have them put their information in proper form.

"After I have obtained this information I will determine whether or not there is any evidence of crime having been committed, and if there are put their information in proper form.

"After I have obtained this information I will determine whether or not there is any evidence of crime having been committed, and if there is sufficient information I will determine whether or not there is any evidence of crime having been committed, and if there is sufficient information I will determine whether or not there is any evidence of crime having been committed, and if I find such persons I will have them put their information in proper form.

"After I have obtained this information I will determine whether or not there is any evidence of crime having been committed, and if there is any one with specific knowledge of wrongdoing, and if I find such persons I

on a creek bank here. From a hidden observation tower close at hand Willheimer will watch the ground hogs' home to-morrow.

"I intend to settle this thing for myself, anyway," Willheimer said

## Armstrong Yields, Freed From Tombs

mitted."

the release of Armstrong. Gives Enlightening Information

"He proved to be a rather reluctant witness," Mr. Whitman said later, "but he did give the jury some enlightening information. I expect some further developments to-morrow."

In announcing the practical abolition of the auto squad Commissioner En- to the committee if the resolution is right said that he had suspended Detective Sergeant "Marty" Owens, the police hero of the World War, and Ser-

in Mercer Street and suffers a drop in salary from \$3,300 to \$2,700 a year. Horan drops from \$3,300 to \$2,800 a year, having also been transferred to

Acting Captain John Fitzpatrick, in charge of the automobile squad, also is transferred. He has been a detective for fifteen years and as a first grade man received a salary of \$3,300 a year. He holds the rank of patrolman and is transferred to "nouviling the never

th ments" in the West 135th Street station. His salary is reduced to \$2,280 a year.

Armstrong Also Demoted
William J. Hussey, indicted Monday, also is reduced and transferred to do uniformed duty in the new "penitentiary"—Brownsville—the precinct commanded by "Honest Dan" Costigan. William T. Hemmerich also was sent to uniform in the Charles and institutions if the committee should be allowed to make a thorough inquiry into the affairs of the corporations.

At the recent semi-public hearing before the legislative finance bodies Mr. Untermyer declined to give out any information in this respect, saying it would be dangerous for the committee to disclose some of the facts in its possession.

After making his request this ing to have

### Scissors Grinder Uses His Stock for Weapons Elevator Man Is Stabbed Five

was produced.

When the patrolman arrived Kelly was exhausted. The policeman's right in dwas cut and his coat was slashed before D Matteo was overpowered. Kelly was taken to St. Vincent's Hospital St. St. Wincent's Hospital St. Wincent's Hospital

pital, suffering from five stab wounds in the face and body. The police say that when Di Matteo was searched he had knives and scissors in every pocket.

### Prosecutor Starts Probe Of Collusion in Oueens

Grand Jury Will Be Asked to

Public investigators were criticized yesterday by W. K. Hammond, president of the National Brick Manufacturers' Association, which is holding a convention at the Hotel Pennsylvania jointly with the Common Brick Manufacturers' Association.

"These investigators," he said, "seem to think they have God Almighty on their side all the time. They or their spokesmen seem to think they can delare a whole industry rotten as the regular of their inquiries into a particular spot. It is our duty to conduct our business so that there can be no cause for investigations which, aimed at one spot, affect the whole industry."

William Schlake, of Chicago, president of the Common Brick Manufacturers' Association, presided yesterday alternately with Mr. Hammond, who will be retired through yesterday's election. The national association elected these officers:

Grand Jury Will Be Asked to Act if Irregularities in City

Bids Are Found

In reply to a letter from Borough President Maurice E. Connolly of Queens, requesting an investigation of Comptroller Craig's charges that there had been collusive bidding and other irregularities in city contracts in Queens, District Attorney Bana Wallace of Queens said yesterday that he would begin an investigation in order to determine whether there was sufficient evidence of crime to warrant an invity by the grand jury. He intimated that he would call upon Comptroller Craig for any evidence that he might have.

"If do not intend to plunge the county into an expensive investigation which will lead nowhere," said the District Attorney, "but I have started a personal investigation to find if there any one with specific knowledge of wrongdoing, and if I find such persons I

### JEWELERS OF WORTH SINCE 1859 FINAL WEEK! 25% REDUCTION Applying on Our Entire Choice Stock to Insure Buying Now Among our beautiful and distinctive assortments there must be something—a Pearl Necklace—a Platinum Mounting—an article of Jewelry or Silverware which, perhaps, you have long desired, yet never purchased. Today you can make that purchase to your advantage—a full 25 per cent advantage. Low prices will not be permanent—ours revert to normal after February Fifth T. KIRKPATRICK & CO. 624 FIFTH AVENUE, at Fiftieth Street

NEW YORK

Conference Called Here Greek Swindler,

Senate Leaders Summoned; Committee May Explain Aims of Extended Inquiry

From a Staff Correspondent
ALBANY, Feb. 1.—A final attempt to
induce legislative leaders to give the Lockwood housing committee a more liberal grant of powers than those contained in the resolution passed by the Assembly last week is to be made in New York Friday or Saturday, Senator Charles C. Lockwood, chairman of the committee which bears his name, has arranged a conference which is to be attended by Senator Clayton R. Lusk, Judge Crain immediately rescinded president pro tem. of the Senate; the jail term and the fine and ordered Speaker H. Edmund Machold of the Assembly; Simon L. Adler, Republican floor leader of the House; Samuel Untermyer, chief counsel for the Lockwood committee, and Leonard M. Wallstein and Samuel Berger, associate

> Mr. Untermyer has informed Senator Lockwood that he will resign as counsel adopted in the emasculated form in which it was reported out by the Senadopted by the Assembly. His attitude to proceed under the umited increase of authority given it under the amended

It is likely that the conference this week end will be the occasion for relating to the leaders some of the intimate details of the conditions the committee hopes to disclose within in-surance companies, savings banks and

manded by "Honest Dan" Costigan.
William T. Hemmerich also was sent to
uniform in the Charles Street station.

After making his request this morning to have action upon the resolution
put over until next Tuesday Senator

ment:
"The consideration of the pending

Tuesday.
"Samuel Untermyer, the senior coun-Elevator Man Is Stabbed Five
Times Before Policeman
Intrudes on Attack

John Di Matteo. forty-seven years old, of 240 Sullivan Street, a scissors prinder, made use of his stock of stee; blades yesterday, according to the police, when he is said to have attacked John Kelly, forty-four years old, of 170 Bowery, an elevator operator at 180 Stabbed Five

"Samuel Untermyer, the senior counting the resolution is adopted in the form it passed the Assembly, on the ground, among others, that it is insufficient in its grant of powers. The success of the committee to date should be largely credited to Mr. Untermyer, and the chairman believes that every effort, sold watch and chain, a \$20 gold piece should be made to retain his most valuable services.

"Samuel Untermyer, the senior counting for cash and other property taken from him at the time he was arrested. Marweg said his belongings consisted of \$500 deposited in the Williamsburg Savings Bank, \$265 in Cash found on his person when he was arrested, and some clothing in a grip. Detective Farrington said that the

SEMI-ANNUAL

REARANGE

FALES

Handsome Fur-trimmed Day Coats

Formerly to \$275-at \$75--\$95--\$125

Beautiful Fur-trimmed Suits

Formerly to \$375-at \$85--\$125--\$175

Day and Evening Gowns

Formerly to \$295-at \$50-\$75-\$95-\$125

Luxurious Evening Wraps

Formerly to \$495-at \$125-\$165 to \$295

-Rich Furs at 1/2 off-

Our entire remaining selections of Coats-

Wraps-Scarfs and Separate Pieces have

been reduced to half and less than half their

former prices.

This Test Will Make
Or Break Ground Hog

MONMOUTH, Kan., Feb. 1.—
John Willheimer, skeptical about the theory that the ground hog regulates the length of winter, purchased five ground hogs last fall and established them in a nome with suitable environments on a creek bank here. From a lidden observation tower close at land Willheimer will watch the content of the test of the ced With Probe Under Limitations of Resolution

Untermyer to Resign if More Power Is Denied

Wonner Is Denied

Contention that the justice court act and that their effectiveness can in no way be interfered with.

"There is nothing," he said, "in the contention that the justice court act was passed in May, 1920. The rent laws were passed in May, 1

## Sentenced to Jail, Collapses in Court

Pteriotis, Who Is Convicted of Taking \$250,000 From

George D. Pteriotis, president of the altered bills of lading and swindled Greek business houses out of approxday in the United States District Court, when Judge Dietrich sentenced months in the Federal penitentiary. After a short talk, explaining the

ecessity of punishment, Judge Dietrich told Pteriotis he would have to serve four years in the penitentary. He also imposed on him a fine of \$14,-006 calculated at \$1,000 for each count in the indictment

The judge had barely concluded his emarks when Pteriotis burst forth ate Finance and Assembly Ways and Means committees last Tuesday and more. Pteriotis turned and just as he was about to resume his seat collapsed Brouzos was sentenced to eighteen

Later in the day, Judge Dictrich changed the sentences. On consideration of the fact that Pteriotis has been

trial he made the sentence three years and six months. He changed the fines imposed on the two men so that they applied only to counts one, three and five, instead of to all the counts, making the amounts \$3.000 for Pteriotis and \$300 for Brouzos.

### Condemned Man Writes For Money Held by Police Slaver of Buffalo Jeweler Re-

housing resolution and proposed amendments to be offered by me has been postponed at my request until next tive Albert J. Farrington, of the Ralph the murder of a Buffalo jeweler, Will-Avenue station, Brooklyn, a request

first grade detective sergeant.

Didn't Know Aronson

"You had never met Aronson before, and you?" asked Mr. Untermyer, and they are finding seissors and knives for several firms in the building. He tried get in the elevator, which was crowded. When Kelly told Di Matte took place with other contractors who called on Brindell, or when they came to his office, you can give us a complete picture of the Aronson interview, although you tell us you paid no attention to the matter at the time, and there was nothing about the interview, although you tell us you paid no attention to the matter at the time, and there was nothing about the incident of distinguish it from the numerous other conferences he held daily". "I have spoken to Mr. Danay and Brindell about the matter and my mind has been refreshed," was the answer Birmingham gave.

It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that as a result of the Lockwood committee. It was reported that the case and sarrested the train believes that every effort at the case that every effort at the case tha

as absolutely unfounded charges made by Assemblyman William Lyman, Democrat, of the Bronx, that the justice court act repeals the rent laws of last year. Mr. Sammis, who drew the rent laws and made a thorough study of the various legal angles of the ques-

# Hold-Up Nets \$30,000 Cash

Seven Gunmen Leisurely Loot Institution Just Before Opening Time and Escape in Automobile

Customer Also Is Robbed

Clerks and Tellers Placed in Room Under Guard; \$5,000 Reward Is Offered

CHICAGO, Feb. 1 .- In a daring raid Business Houses, Given 3 to-day seven two-gun robbers swept Years 6 Mos., \$3,000 Fine down upon the Kenwood Trust and Savings Bank on one South Side, smashed a door, held up the office force American Company of Commerce, who and escaped with at least \$30,000 in was convicted last Saturday of having currency. An offer of a reward of by the directors.

Charles E. Ford, president of the bank, and Eugene Ford, vice-president him to serve three years and six and cashier, said no estimate of the loss could be made until a close check of the books and contents of the vaults had been completed. The president said, however, that the loot might total as much as \$50,000.

as much as \$50,000.

The robbery, which was of the type known in police parlance as a "rush," occurred at 8 o'clock, before the bank opened. The clerk and tellers, six of whom were young women, were preparing money and books for the day's business. Charles H. Willis, the paying teller, had just taken a sack of money to his cage.

Randits Arrive in Auto

Bandits Arrive in Auto

The front door was closed, but not locked. It was secured with an electric latch that could be operated by push-button from any of the officials' desks to permit the entrance of em-

desks to permit the entrance of employees.

A dark green touring car turned out of Grand Boulevard into East Fortyseventh Street and stopped at the curb in front of the bank. Six men got out. A seventh lingered at the wheel and stept the engine running. The six then started across the sidewalk in close formation. Witnesses told the police afterward that a second car with a similar complement of men arrived at the scene immediately behind them, apparently to act as reserves.

The leader of the group set his shoulders against the door and with the weight of the five other men anapped the spring catch.

There was no noise about the forcing of the door. The clerks did not look up of the door. The clerks did not look up the managed the spring catch.

The was no noise about the forcing of the door. The clerks did not look up of the door. The clerks did not look up the managed the spring catch.

The second the managed the spring catch.

The purpose in calling her, it was said, was to show she had been roughly shandled on the night of January 25, when she was lured from her home in the Hollywood section, and that she still bears bruises as the result of her treatment.

There was no noise about the forcing of the door. The clerks did not look up from their work as the robbers filed in.

### Arkansas Senate Votes Death for Bank Bandits

LITTLE ROCK, Ark., Feb. 1.

-The Senate to-day passed unanimously a bill providing capital punishment for bank robbery.

The bill puts bank robbery on a penalty with murder in that it gives juries the right to fix either life imprisonment or electrocution as a punishment.

at the door. Another, with two pistols drawn, marched to the rear, vaulted the marble counter into the bookkeeping and clerical departments and cor

fronted the astonished men and women.

"Step into the back room and don't make any noise," he warned. "There won't be any trouble if you keep your heads."

The clerks complied. Willis, the neving teller was at his window head.

paying teller, was at his window bending over his books.

A youthful gunman, who had leaped across the counter, suddenly shoved

across the counter, suddenly shoved two pistols through the grating behind him.

"Get out of the cage!" he ordered.

Willis started to comply, picking up the sack of money as he turned.

"Drop the money," said the gunman.

"I'l take care of that. You march back toward the back room with your hands in the air."

Customer Is Robbed

In the mean time the others of the group were searching the other cages.

Michael Waldeck, a customer who had been admitted by one of the had been admitted by one of the offi-cials and was waiting to cash a check, was robbed by one of the robber guards. The search of the bank was swift and thorough. One of the group paid a quick visit to the open vault and seized all the currency within reach

whistled sharply. The six men backed toward the door and walked casually toward their car. Pedestrians passing the bank on their way to work paid no attention to them. The car shot away from the curb and had turned north in Grand Boulevard before the first of the captive clerks emerged from the rear room to give the alarm.

### Mrs. Witherell to Face Her Abductors in Court the

quests Cash Taken From Him
at the Time of Arrest
Although he is in the death house at
Sing Sing awaiting electrocution for the murder of a Buffalo jeweler, Will-

### Girl, 6, Sees Man With Ax Kill Mother

Woman Beaten to Death in Milford, Conn., Home and Posse of 100 Search Woods for the Murderer

Shot Wounds Fugitive

\$110 Missing, and Husband Tells of Attempt to Hold Him Up Night Before

MILFORD, Conn., Feb. 1 .- More than 100 men armed with rifles, revolvers and shotguns to-night were searching a wooded section near the Woodmant sailroad station for the murderer of rs. Joseph Chernock, thirty-five gears old, who was slain in her home on Old Gate Lane here this afternoon. Police,

Gate Lane here this afternoon. Police, fremen and volunteers, under the direction of Chief of Police James Maher, of Milford, took up the pursuit a half hour after the killing.

Statements by persons who saw the man fleeing toward the woods indicated that he was short and stout and had worn a black mask. Before nightfall searchers had found his overcoat, which showed that the man probably was wounded by one of the shots fired at him as he fled. There were bloodstains on the coat and bloody finger marks on a Bridgeport morning newspaper of to-day's date, which was in one of the coat pockets.

The woman's husband, who is employed in Bridgeport, returned home late to-day and said that \$110 he had in the house was missing. An axe spattered with blood also was found in the head with the control of the coat was missing.

pattered with blood also was found in

spattered with blood also was found in the house
A six-year-old daughter of the Chernocks, who was in the house and gaw the attack on her mother, ran to the home of H. L. Logan near by, and gave the alarm. Logan took a rifle, and accompanied by Walter Linsley, ran to the Chernock home. Logan found the side does of the house presents. side door of the house smashed i and, stepping inside, he saw a man the front room. The man fled, and with riot guns, and all roads in the section were patrolled. The police of New Haven, Bridgeport and West Haven were notified.

Mrs. Chernock's body was found in

cigarette. Flavor is sealed in by toasting

Boston Helps Ellis Island

BOSTON, eb. 1 .- This port is pre-

migrants destined for New York but diverted from that city, it is under-

stood, because the facilities at Ellis



A HEALTH-GIVING fruit course for break-fast is a small glass of Welch's Grape Juice, chilled. It's just like eating luscious ripe, Concord grapes, but without the bother of seeds and skins. Sold by grocers, drug-gists and confectioners. 95c quart; 50c pint; 18c Ju-niors. Buy it by the case.

WELCH - Westfield, New York



house worth more money

IDIALOGUED FROM STORIES OF ARCOLA USERST

"My husband built a bungalow for twenty-eight hundred, and we tried to keep it warm with stoves. But my land! "We'll sell and get out from under,"

Dave said. 'I don't want to freeze to death.' "But one day he saw an ARCOLA at the steamfitter's, and ordered one that very minute. It didn't need any cellar. "So we put an ARCOLA in the kitchen,

and hot-water radiators all through. The job was done in three days—those fellows knew their business! "Then Dave got a better job in Pittsburg. 'We'll

quick,' he said. "Half the houses in our town were for sale, but ours sold in one day.

have to sell the bungalow

"'I've looked at more'n

twenty,' said Jimmy Hunt, who bought it, 'but this little heating system gets me.' "We cleaned up twice the cost of the

ARCOLA on the price we got, besides the coal we saved."

The Ideal-Arcola heats all rooms on less fuel than a stove requires for one room. The complete system, installed by your local dealer, costs but little more than a stove for each room; and far less than old expense for a hot-water heating system. Children cannot burn themselves; no fire risk.

Low-cost, healthful warmth, through hot-water radiators, for the small home, store or school. The Arcola places the cottage, with or without cellar, on the heating plane

of the First Mansion in the Land. The water-jacketed ARCOLA is of itself a radiator. Replaces stoves, wastes no heat up chimneys, leaks no coal gas. Each tenant may have a separate Arcola. If used to heat part of building, extra sections and

NO EXCLUSIVE

radiators may be added later. Catalog has open views of houses, flats, stores, offices, with ARCOLA. Write Dept. 21.

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